

Dkt. 60046/JPW/PT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David John Watson et al.
 Serial No.: 09/378,666 Examiner: Sang Nguyen
 Filed : August 20, 1999 Group Art Unit: 2877
 For : IMPROVEMENTS RELATING TO THE MEASUREMENT OF
 PARTICLE SIZE DISTRIBUTION

1185 Avenue of the Americas
 New York, New York 10036
 January 3, 2002

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT AND
 CERTIFICATION UNDER 37 C.F.R. §1.97(e)**

In order to ensure compliance with applicants' duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), applicants hereby submit this Information Disclosure Statement.

Applicants direct the Examiner's attention to the following references, which are also listed on Form PTO-1449 attached hereto as **Exhibit A**, cited in a European Search Report in connection with a corresponding European patent application. Copies of the references are attached hereto as **Exhibits 1-3**, respectively:

1. U.S. Patent No. 4,361,403 issued November 30, 1982 to Hendricus G. Loos (**Exhibit 1**);
2. U.S. Patent No. 4,541,719 issued September 17, 1985 to Philip J. Wyatt (**Exhibit 2**); and
3. U.S. Patent No. 5,576,827 issued November 19, 1996 to Michael L. Strickland (**Exhibit 3**).

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David John Watson et al.
Serial No.: 09/378,666
Filed: August 20, 1999
Page 2

Applicants also submit herewith as **Exhibit B** a Communication by the European Patent Office dated October 5, 2001 and European Search Report enclosed therewith in connection with corresponding European Patent Application No. EP 99 30 6657.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(c)(1), after the mailing date of a first Office Action, but before a Final Office Action, a Notice of Allowance or an action that otherwise closes prosecution in the application. Applicants certify, pursuant to 37 C.F.R. §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. The date of mailing of the Communication from the European Patent Office is October 5, 2001, and therefore this Information Disclosure Statement is timely filed, pursuant to 37 C.F.R. §1.97(c)(1).

In the event that a Final Office Action, a Notice of Allowance or an action that otherwise closes prosecution in the application has issued which has not yet been received by applicants or connected with the application file in the undersigned attorney's office, applicants hereby request, pursuant to 37 C.F.R. §1.97(d), consideration of this Information Disclosure Statement, and incorporation of the certification made above.

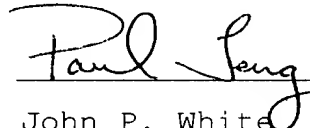
If a telephone conference would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number

David John Watson et al.
Serial No.: 09/378,666
Filed: August 20, 1999
Page 3


provided below.

No fee is believed to be due in connection with the filing of this Information Disclosure Statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.	
 Paul Teng Reg. No. 40,837	January 3, 2002 Date

Form PTO-1449		<div>OTPE JAN 24 2002 U.S. DEPT. OF COMMERCE PATENT AND TRADEMARK OFFICE</div>		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. 60046/JPW/PT		Serial No. 09/378,666						
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)						Applicants: David John Watson et al.								
						Filing Date: August 20, 1999		Group Art Unit: 2877						
U.S. PATENT DOCUMENTS														
Examiner Initial		Document Number						Date	Name	Class	Subclass	Filing Date if Appropriate		
		4	3	6	1	4	0	3	11-30-82	Hendricus G. Loos				
		4	5	4	1	7	1	9	9-17-85	Philip J. Wyatt				
		5	5	7	6	8	2	7	11-19-96	Michael L. Strickland				
FOREIGN PATENT DOCUMENTS														
		Document Number						Date	Country	Class	Subclass	Translation		
												Yes	No	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)														
EXAMINER								DATE CONSIDERED						
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.														

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U.S. Serial No.: 09/378,666
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Exhibit A